AMENDMENT TO RULES COMMITTEE
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OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle B of title III, add the following:

SEC. ___. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

(a) Title 10.—Section 183a of title 10, United States Code, is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (B)—

(i) by striking “solely for the purpose of informing preliminary reviews under subsection (c)(1) and early outreach efforts under subsection (c)(5),”; and

(ii) by inserting “, including highly critical areas that would necessitate an automatic assumption of presumed risk under subsection (c)” after “such areas”;

(B) in subparagraph (E), by striking “and” at the end;
(C) in subparagraph (F)(v), by striking the period at the end and inserting ‘‘; and’’; and

(D) by adding at the end the following:

“(G) propose a rule to consider classifying military training routes as highly critical geographic areas of concern.’’; and

(2) in subsection (e), by adding at the end the following:

“(5) The Secretary of Defense shall issue regulations, or orders if necessary, to prevent any person from constructing, altering, establishing, or expanding any energy structure taller than 199 feet from the ground, until the person obtains a finding from the Secretary of Defense that the structure, as proposed to be constructed, altered, established, or expanded would not pose an unacceptable risk to the national security of the United States.’’.

(b) Title 49.—Section 44718(a) of title 49, United States Code, is amended—

(1) by striking ‘‘By regulation’’ and inserting ‘‘(1) IN GENERAL.—By regulation’’;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

and

(3) by adding at the end the following:
“(2) ENERGY PROJECTS.—In addition to the requirements under paragraph (1), structures covered under section 183a(b)(1) of title 10 shall be subject to—

“(A) a public notice requirement of not less than 180 days; and

“(B) a finding by the Secretary of Defense consistent with subsection (f) of such section that such structure will not pose an unacceptable risk to the national security of the United States.”.